

VIOLATION OF SUPERVISION PROCEEDINGS MINUTE SHEET

		Time In/Out:	11:32am – 11:51am	Court Time:	19 minutes	
			Date:	August 22, 2019		
	Cr. No.	CR 09-3366 WJ	USA v.	Derek Chavez		
		The Honorable	Chief Judge William P. Johnson			
Clerk:		R. Garcia		Court Reporter:	M. Loughran	
Defendant:		Present		Defendant's Counsel:	Martin Lopez III	
AUSA:		Paul Mysliwec		Probation Officer:	Erick Newton	
VSR Held:		Albuquerque		Interpreter:	N/A	

ADMISSION OR DENIAL OF PETITION'S ALLEGATIONS

X	Court questions Defendant regarding voluntary nature of admission.
X	Court finds Defendant competent to proceed
X	Court advises Defendant of his/her rights
X	Court advises / confirms Defendant is aware of charges and possible penalty:
X	Defendant ADMITED to the violation that he failure to refrain from use of controlled substance(s) at hearing held on 1/28/19, and the following additional violations today: failed to follow directions of Probation; failed to complete substance abuse program.
X	Proceed to sentencing
	Violation Report WAIVED / NOT WAIVED
	Other:

SENTENCE IMPOSED

Supervision imposed:		Imprisonment:	6 months	Supervised Release:	None
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SPECIAL CONDITIONS

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OTHER

X	ADVISED OF Appeal Rights
X	HELD IN CUSTODY
	Recommended place of incarceration:

NOTES:

The Court notes the Defendant previously admitted to failure to refrain from use of controlled substance(s) at hearing held on 1/28/19.

Defendant proceeds to admit to violations contained in Amended Petition for Revocation. PO states basis for a recommendation of a sentence at the high end of the guideline range without any term of supervision to follow.

Mr. Mysliwec concurs with PO's recommendation.

Mr. Lopez has no objection to not imposing any further supervision.

Defendant addresses the Court.

Mr. Lopez addresses the Court on behalf of his client; requests a sentence at the low end of the guideline range.

